



Patricia A. Marida, Chair
1710 Dorsetshire Road
Columbus, OH 43229

Cheryl Roberto, Policy Advisor
Office of Mayor Michael Coleman
90 W. Broad St.
Columbus, OH 43215

Dear Mayor Coleman and Ms. Roberto,

We wish to thank Cheryl Roberto for her presentation on the City of Columbus Division of Sewerage and Drainage Facilities Plan Update.

The Central Ohio Sierra Club represents over 3200 members in the Central Ohio area. The Central Ohio Sierra Club heartily agrees with the Columbus proposal that no alternative wastewater systems be installed or operated within the Facilities Plan Area Boundary. We are opposed to alternative wastewater systems such as land application of sewage for a number of reasons. These systems have a history of failure. The Ohio EPA has a pattern of approval of these systems that is inadequate. There is no procedure in place for follow-up inspection to insure that these systems remain in compliance with standard sanitary practices. During cold months the bacterial decomposition process becomes compromised, leaving dangerous amounts of raw sewage on the land, which can leach into the groundwater and be carried to our streams and rivers.

Most importantly, these systems threaten to open large areas to uncontrolled sprawl, with its concomitant destruction of farmland and environmentally sensitive ecosystems. If a certain percentage of an ecosystem is destroyed, the entire system can be weakened or destroyed. What percentage will cause this breakdown depends on a number of factors, including the sensitivity of the area and the space needed for flora and fauna habitat.

The Central Ohio Sierra Club notes that the Columbus Facilities Plan Update needs to be strengthened and made adequate in other areas. The Plan needs to address the issue of combined sewer overflows (CSOs). This outdated type of sewer construction allows raw sewage to flow into our rivers when there is a heavy rainfall. The city of Columbus needs to eliminate the CSOs. We believe that the major step for Columbus will be in gaining the knowledge and the political will to enable this city to address this environmental problem.

A second item that should be included in the Plan would be a proposal to minimize environmental damage during sewer construction. Major sewer trunks are often located along streambeds, where gravity aids sewage flow. Special care must be taken when disturbing environmentally sensitive areas.

The Facilities Plan Update would create an Environmentally Sensitive Development Area (ESDA). The ESDA would replace the Environmental Conservation District (ECD) on the West Side. The ECD was created in the 1993 Columbus Comprehensive Plan. The "no development zone" under the ECD would be changed to an ESDA. There is also a "red area" on the Columbus Plan map that denotes an area that would be scheduled for unrestricted development in the next 20 years. This area is next to Hellbranch Run. The Sierra Club is opposed to unrestricted development

Creation of an ESDA will be meaningless without the knowledge, political expertise and planning to back it up. Without a comprehensive or regional development plan, Columbus will continue to be a victim of

environmentally and socially dangerous practices. Such a comprehensive plan must come from professionals skilled in these arts and sciences. Geologists, hydrologists and other professionals are needed in the planning process. Conservationists and environmentalists must also be included in the planning. Regional planning will mean including other cities, towns, counties, townships and government entities in the discussions.

As part of this process, Columbus must develop comprehensive annexation guidelines. I am enclosing a copy of Annexation Guidelines put together by David Greene, a regional planner who is a member of the Sierra Club's Rivers & Wetlands Subcommittee. Columbus must exert the leadership necessary to adopt such common-sense guidelines as part of its legally enforceable strategy.

Sincerely,

Patricia A. Marida

Patricia A. Marida

ANNEXATION GUIDELINES

When property owners request to be included as part of Columbus by annexation, there should be a process that examines the value of the proposal and determines in an objective way whether the property should be added. These guidelines should include environmental, financial, engineering and social conditions for acceptance or rejection. Most cities that have criteria for controlled growth or controlling city expenditures have a method of accepting new land. Columbus needs a new approach to annexation that should include a rational method for including new land. The guidelines must be easily interpreted by council during meetings and correspond to planning concepts of the long-range planners from Columbus. The following restrictions could be part of a Columbus annexation criteria and should be examined for future use.

- 1) The property or properties to be annexed should be contiguous to the current urban boundary with the longest side of the annexed land contiguous or 50% of the existing boundary contiguous. No "extended finger" property should be considered until additional properties are also considered as a group.
- 2) Annexation should avoid the 100-year floodplains of major streams or rivers and if floodplains are to be annexed they should be only 20% of the proposed property and not be a central part of development or receive development.
- 3) New property should avoid sensitive environmental features such as: steep slopes over 10%; major tree stands of mature trees over 10 acres; geologic hazard areas such sinking springs, caves, waterfalls, cliffs and rock formations; valuable national scenic rivers and rare or endangered plant life. If these areas are part of annexation the sensitive lands should be set aside and not be part of development.
- 4) New annexation should consider the compatibility of proposed development with the existing public or private development. Annexations that border or include rail yards, industrial agriculture sites, industrial sites, federal lands, state lands or landfill property should be avoided. If these properties are to be considered for annexation they should be part of a comprehensive planning update or redevelopment that has planned for their inclusion and use as part of the urban fabric.
- 5) Annexation of property should consider the farm value of the proposed annexation and avoid prime farmland for urban uses. If annexation is considered then it should be part of a comprehensive planning process where farm interests have been considered and farm owners included in the process.
- 6) Annexation should consider the sewerability of the proposed property and avoid those properties that cannot be served without a pump station. If the property is being considered with a pump station then the sewer department should verify that service would be available in the future without the use of a pump station once future annexations have been included. The annexation should fit within the sewer plan developed by the city and as part of a comprehensive planning process.
- 7) Proposed annexations should be considered based on the existing traffic and roadway limitations posed by the development. A proposal for development should be refused if the existing road network is insufficient to serve the current residents at or above level of service D before development and level of service D after development, with roadway improvements imposed by the developer. New annexations should not create unreasonable hardship on the existing residents by lowering the level of service for current roadways more than one level.
- 8) The annexation should not be considered unless the tax revenue, after five years, from the development exceeds the costs for roadway, traffic and service requirements imposed by the development.
- 9) Existing school impacts should also be considered for annexations that will create more than 100 new households or are being served by a school district that is unable to meet its current obligations to students without a property tax increase.

10) Annexed property should be evaluated based on the traffic impacts imposed by the new development on existing roads for commuting and neighborhood trips. New annexations should correspond with the comprehensive plan's concepts for growth and service to residents.

11) The existing city fire and police service should be considered when annexations are considered.

12) Valuable historic or scenic areas should not be crowded by urban expansion. State parks and state historic site should be separated for urban encroachment.

13) The amount of parkland and open space should be adequate to serve the new annexation or the new annexation should contribute additional open space according to comprehensive plan requirements.

David Greene <DGREENE@mail2.morpc.org>
614-233-4197



FRANKLIN SOIL AND WATER CONSERVATION DISTRICT

... promoting responsible land use for soil and water conservation ...since 1946

September 13, 2000

Cheryl Roberto
Policy Advisor
City of Columbus, Mayors Office
90 W. Board Street, 4th Floor
Columbus, Ohio 43215

Dear Ms. Roberto:

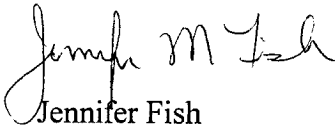
Thank you for taking the time to present the Columbus Metropolitan Facilities Plan Draft with our staff. The following are our comments regarding this draft:

- **Sewage extension by itself will not result in better water quality without stormwater management and watercourse protection strategies.** Sewage facilities extension can have a negative impact on water quality if these items are not carefully considered because sewage facilities allow for higher densities of development. Hydromodification is listed as the leading cause of aquatic life use impairment in Ohio above any sources related to septic systems. Alteration or piping of headwater streams, urbanization and riparian vegetation removal are examples of hydromodifications.
- **Alternative wastewater treatment plans should not be banned without the agreement of the county and townships.** It is the concern of this staff that a lack of consensus on this issue will impede better coordination between local governments in Franklin County on important natural resource concerns. Better resource coordination is needed if natural resource concerns including water quality and quantity are going to be effectively addressed in a growing urban county with many local government boundaries.
- **There are other environmentally sensitive development areas outside of Darby Creek in Franklin County that need protection.** For example, the South East Comprehensive Plan has wetlands, hydric soils, natural areas, filling of flood plains, etc.. that will result in loss of property or natural resources. A Resource Inventory Study is needed for the entire county if environmentally sensitive areas are to be given the needed consideration. Not only does this reduce loss of property by not building in areas that will flood or increase flooding downstream but it also provides for open space, stormwater storage and other resource needs of a growing urban area.

- **There are more hydric soils that exist in Franklin County than what was presented on the Franklin County Map for the Columbus Sewage Facilities Plan.** Enclosed is a list of Hydric Soils in Franklin County. We would also be happy to work with the Development Department to develop a revised Hydric soils map.
- **Sludge applications on agricultural land in Franklin County need to consider the phosphorus levels in the soil.** Currently only nitrogen is measured. This can lead to significant increases of phosphorus in waterways. According to our records permits have been issued for sludge application from Columbus Southerly or Jackson Pike Wastewater Treatment Plants for the following properties: James Phillippi, 6229 Feder Rd., Columbus, Ohio, 43228, Carl Green, 5500 Harrisburg-Georgesville Road, Grove City, Ohio 43123, Dan Galbreth, 925 Darby Creek Drive, Galloway, Ohio 43119. These are only three examples available in the Franklin SWCD Office. Please check with Jan Rice at OEPA Central District Office (614-728-3855) for a list of properties that have been permitted for sludge application over the years in Franklin County.

If you have any further questions or assistance please feel free to call me at 614, 801-9450 x19.

Sincerely,



Jennifer Fish
Administrator

Don Kinnick
Area Soil Scientist
3-3-94

FRANKLIN COUNTY, OHIO
HYDRIC SOILS LIST
MAPUNITS WITH HYDRIC COMPONENTS

Mapunits are listed in alpha-numeric order by mapunit symbol. The "Hydric Soils Criteria" columns indicate the conditions that caused the mapunit component to be classified as "Hydric" or "Non-Hydric". These criteria are defined in "Hydric Soils of the United States" (USDA Miscellaneous Publication No. 1491, June, 1991). The "FSA Criteria" columns contain information needed for the Food Security Act determinations required by Section 512.11(h)(4) of the National Food Security Manual (August, 1991). See the "Criteria for Hydric Soils" endnote to determine the meaning of these columns. Spot symbols are footnoted at the end of the table.

Map Symbol Mapunit Name	Component(C)/ Inclusion(I)	Hydric	Local Landform	Hydric Soils Criteria				FSA Criteria & Information	
				Hydric Criteria Code	Meets Saturation Criteria	Meets Flooding Criteria	Meets Ponding Criteria	Natural Condition of Soil	Needs On- Site
Cc: CARLISLE MUCK	CARLISLE (C)	Yes	Depression	1	NO	NO	NO	Wooded	Yes
Cn: CONDIT SILT LOAM	CONDIT (C)	Yes	Swale	2B3	YES	NO	NO	Wooded	Yes
Ko: KOKOMO SILTY CLAY LOAM	KOKOMO (C)	Yes	Ground Moraine	2B3	YES	NO	NO	Wooded	Yes
Ku: KOKOMO-URBAN LAND COMPLEX	KOKOMO (C)	Yes	Ground Moraine	2B3	YES	NO	NO	Wooded	Yes
	URBAN LAND(C)	Unranked							
Xs: MONTGOMERY SILTY CLAY LOAM	MONTGOMERY(C)	Yes	Swale	2B3	YES	NO	NO	Wooded	Yes
Pn: PEKAMO SILTY CLAY LOAM	PEKAMO (C)	Yes	Swale	2B3,3	YES	NO	YES	Wooded	Yes

FRANKLIN COUNTY, OHIO
HYDRIC SOILS LIST (Continued)
MAPUNITS WITH HYDRIC COMPONENTS

Map Symbol Mapunit Name	Component(C)/ Inclusion(I)	Hydric	Local Landform	Hydric Soils Criteria				FSA Criteria & Information	
				Hydric Criteria Code	Meets Saturation Criteria	Meets Flooding Criteria	Meets Ponding Criteria	Natural Condition of Soil	Needs On- Site
Pn: PEXAMO-URBAN LAND COMPLEX	PEXAMO (C) URBAN LAND(C)	Yes Unranked	Swale	2B3,3	YES	NO	YES	Wooded	Yes
So: SLOAN SILT LOAM, FREQUENTLY FLOODED	SLOAN (C)	Yes	Flood Plain	2B3	YES	NO	NO	Wooded	Yes
Wt: WESTLAND SILTY CLAY LOAM	WESTLAND (C)	Yes	Outwash Terrace	2B3	YES	NO	NO	Wooded	Yes

FOOTNOTE: There may be small areas of included soils or miscellaneous areas that are significant to use and management of the soil; yet are too small to delineate on the soil map at the map's original scale. These may be designated as spot symbols and are defined in the published Soil Survey Report or the USDA-SCS Technical Guide, Part II.



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9/5/00

From: Board of Trustees, Darby Creek Association

To: Cheryl Roberto, Policy Advisor, Mayor's Office, City of Columbus

RE: Comments on Draft Columbus Metropolitan Facilities Plan Update

Introduction

Darby Creek Association is pleased that the City of Columbus has taken steps to expand possible protection of the Darby Creek Watershed in Franklin County. The Environmental Conservation District created in the City's Comprehensive Plan has been an effective tool in preserving and protecting existing land uses – primarily agriculture – which are preferable to the suburban development immediately to the east. The potential expansion of such protections is a welcome step.

Summary

The Darby Creek Association's Mission is to unite concerned citizens to preserve, protect and restore the scenic Darby Creek ecosystem so that this and future generations may benefit from its rich diversity. We believe that suburban sprawl is the single greatest threat to the Darby Creek ecosystem. Land application sewage systems (LAS) threaten to accelerate suburban sprawl in the Darby watershed. The Franklin County Commissioners have put in place rules that would allow the use of LAS in the Darby watershed. The Columbus Metropolitan Facilities Plan (CMFP) would eliminate the risk of LAS in Franklin County and COULD provide a regional approach to development in the watershed. This approach COULD allow development in the watershed while still preserving, protecting and restoring the most significant natural resource in Central Ohio. For these reasons, Darby Creek Association prefers CMFP over the current situation but we cannot endorse or support the CMFP until much greater detail is available on what kind of development in the watershed might occur with the CMFP.

At this time, we believe this plan should not be approved until the issues described below are addressed.

Importance of the Darby Creek Ecosystem

The Darby Creek Ecosystem is home to the highest-quality natural resource in Central Ohio – the Big and Little Darby Creeks. The Creeks are well known for their high water quality that supports a remarkable diversity of aquatic life. The significance of this resource is best recognized by their designation as State and National Scenic Rivers. In addition, the Creeks' biodiversity is so important that the US Fish and Wildlife Service has proposed a National Wildlife Refuge along Little Darby Creek in Madison and Union County. Central Ohio governments face a huge challenge in managing the development process while preserving, protecting and restoring such an important natural resource.

Threats to the Darby Creek Ecosystem

There are many threats to the Darby Creek ecosystem. A massive fish and mussel kill in Big Darby Creek in Union County in July, 2000, occurred because an agricultural services firm was careless with some of its byproducts. The Ohio Department of Transportation actually dug up and moved a stretch of Big Darby Creek while constructing a new road interchange in 1997 – causing massive erosion and silting in the process. The biggest threat is not such isolated incidents, however, it is the ongoing process of habitat destruction and land alteration caused by housing and commercial development. Both the Darby Creek Association and the US Fish and Wildlife Service have formally concluded that such development is the primary threat to the Darby Creeks (see Draft Environmental Impact Statement for Little Darby National Wildlife Refuge).

It does not take much development to destroy a river. Hellbranch Run is the primary tributary to Big Darby Creek in Franklin County. The Mid-Ohio Regional Planning Commission, in their Hellbranch Greenways Plan, states that “once a watershed has 10-15% of its area as impervious surfaces (paved or significantly compacted) the water quality of the stream will be significantly degraded by increased erosion in the stream, pollutants and warmer water temperatures that all reduce biodiversity.” (page 14, Hellbranch Greenways Plan) MORPC currently estimates that 25% of the Hellbranch Run watershed is in residential development and 5% is in commercial development. MORPC estimates that a typical subdivision has 35% impervious surface and commercial development has even more (we will use 50% for the following calculation). Using these figures (.25 X .35 & .05 X .5) it appears that 11.25% of the Hellbranch watershed is ALREADY impervious surface. It is no coincidence that Hellbranch Run is the lowest quality tributary in the Darby Creek ecosystem.

Land Application Sewage Systems

Land Application Sewage Systems (LAS) are a horrible threat to the Darby Creeks. Delaware County has seen several installations of LAS that have accelerated suburban sprawl in that area – allowing large housing developments totally disconnected from urban areas. Darby Creek

Association has worked to derail two LAS-supported developments in the Hellbranch Watershed (Sugar Farms, Manchester Park) in the past 18 months. Sugar Farms' was derailed, in part, because the Ohio EPA decided "there is a possibility that pollutants may be discharged to waters of the state in a particularly sensitive watershed." (OEPA Press Release, 7/10/2000) Almost anything that prevents LAS in the Darby ecosystem is a good thing.

The Franklin County Commissioners responded to the derailment of the Sugar Farms proposal by writing rules that would allow LAS in the future. This interpretation is confirmed by a quote from Donald Plank, a lawyer who worked on Sugar Farms for the developer, Dominion Homes. He said, "I believe what the county is working on would facilitate projects like ours." (Columbus Dispatch, 5/27/2000, page C8)

The CMFP describes LAS as an alternative wastewater system and in the same paragraph states "No alternative wastewater systems shall be installed or operated in the Facilities Plan Area Boundary." (Draft CMFP, page 2) Darby Creek Association fully endorses and supports this element of the CMFP.

Regional Approach to Development

The most important, most complicated and most vague element of the CMFP is the proposed rules for development in what is called the Environmentally Sensitive Development Area (ESDA). The ESDA is designed to protect that area of the CMFP inside the Darby watershed. The complexity of this issue and the lack of proper objectives, guidelines, rules and enforcement authority in the CMFP prevent Darby Creek Association from lending its support to the plan.

Improper Objectives

The ESDA "conditions" for development provide a short list of planning tools that describe some good things that can lead to preserving, protecting and restoring a watershed (i.e. riparian buffer restrictions, comprehensive stormwater management planning, clustered development and maintaining open space). In the compact disc the City distributed to sell their plan, these planning tools are described as "common sense protective conditions."

Darby Creek Association believes there is nothing common at all about what will be required to restore Hellbranch Run and preserve and protect Big Darby Creek. We point to the rather remarkable controversy over the Little Darby National Wildlife Refuge (which the City Council of Columbus has thoughtfully supported). We do not believe the City of Columbus can maintain the political will to do what is right in the ESDA over long periods of time UNLESS they have very clear objectives for the ESDA.

These objectives should:

- State that the ESDA is meant to restore the quality of already degraded waterways like Hellbranch Run.
- State that biodiversity is what makes the Darby Creeks special and restoring high levels and maintaining them is the objective of the ESDA.
- Acknowledge that significant investment and unique practices are expected and will be supported.
- Ensure the ESDA includes the entire Darby watershed in the planning area, including all of Pleasant Township.

Inadequate Guidelines

The CMFP expresses some concepts for the CMFP but leaves unanswered such questions as:

- When are development plans approved and who approves them?
- How much impervious surface will be allowed?
- How will already-damaged waterways be restored?
- How does the TMDL (Watershed Restoration Plan) program fit into the CMFP?
- How does this ensure compliance with the Endangered Species Act?
- How will the riparian buffer restrictions be determined to ensure biodiversity, waters quality and recreational values are protected?
- Who will mitigate impacts from proposed and existing impervious surfaces, as well as other impacts to the watershed?
- What is the role of The Central Ohio Regional Forum's Darby Watershed Task Force and its stormwater management plans?
- Does farmland preservation have a role in the CMFP?

Nonexistent Rules

The ESDA acknowledges the "particularly sensitive" nature of the area but says nothing about how, when and whether specific rules will be created. The complexity of the situation requires particularly sensitive approaches to governance and regulation. This plan should not be approved without including a detailed process that shows how these rules will be created.

Enforcement Authority Vacuum

Darby Creek Association has been around long enough to know that existing governance and regulation authorities do not always have the tools or resources to enforce the necessary steps to preserve, protect and restore the Darby Creek ecosystem. The only mechanism mentioned in the CMFP for the ESDA is that the City of Columbus will not extend sewer service until plans are in place which meet the ESDA "conditions." Those plans (such as comprehensive plans) are always subject to

challenge and change. We note that even the City of Columbus amended its Environmental Conservation District recently to allow the Spindler Road development. This was a high-density development that took out a stand of trees in an area the City had previously set aside for environmental reasons.

As a volunteer citizen group, we also state that relying on volunteer citizen oversight of these plans is not sufficient to meet the challenge of preserving, protecting and restoring Central Ohio's most important natural resource.

We also must reluctantly note that the City of Columbus' record on environmentally sensitive development does not provide us with complete confidence that the ESDA will be as strong a protective device as it could be. While the City Council has frequently stood firm in protecting the Environmental Conservation District, and it has supported the Little Darby National Wildlife Refuge, we have had to face down the Administration's Department of Development in similar situations. Thus the City's commitment is subject to the political whims of office-holders. We also note the City's support of plans a couple years ago to build immediately next to the Pickerington Ponds Metropark and wildlife refuge. This land was sufficiently valuable that the Metroparks system decided to acquire the land to protect the area's only existing wildlife refuge. We note the current destructive development called Grasshopper Creek in the Darby watershed (see pictures, attached). When a DCA member noted the erosion caused by this development, and the failure of the silt-control devices, the member was greeted with a lack of cooperation by City employees. Corrective action at this development took over a month. Grasshopper Creek is a perfect example of why we need the ESDA in the entire watershed. In short, actions speak louder than words, and the City's actions on this topic do not give us enough confidence to endorse and support the CMFP at this time.

Conclusion

Darby Creek Association appreciates the opportunity to comment on the CMFP. We look forward to working together with all concerned to create an improved plan that will truly preserve, protect and restore the Darby Creek ecosystem.

CC: Lisa Morris, Chief, Division of Surface Water, OEPA; Greg Smith, Chief, Division of Environmental and Financial Assistance, OEPA; Columbus City Council; Franklin County Commissioners; Madison County Commissioners; Darby Watershed Municipalities and Township Trustees; US Fish and Wildlife Service; The Nature Conservancy; Sierra Club; MORPC; Franklin Soil and Water Conservation District; Media Outlets

Pictures of “Grasshopper Creek” development in City of Columbus, South of Johnson Road and East of Norton. Pictures taken in the Spring of 2000.

These pictures show the erosion in a drainage ditch and the failure of the silt control fences at a stormwater drain.



Pictures of “Grasshopper Creek” development in City of Columbus, South of Johnson Road and East of Norton. Pictures taken in the Spring of 2000.

These pictures show the complete removal of riparian vegetation along a Darby tributary.



Attachment to Darby Creek Association Comments on CMFP – page 3 of 3

Pictures of “Grasshopper Creek” development in City of Columbus, South of Johnson Road and East of Norton. Pictures taken in the Spring of 2000.

These pictures show the complete removal of riparian vegetation along a Darby tributary.

